



City Hall
555 Israel Road SW
Tumwater, WA 98501-6515
Phone: 360-754-5855
Fax: 360-754-4126

Thurston County Boundary Review Board
2000 Lakeridge Drive SW
Olympia, WA 98502

February 21, 2018

RE: 806 Yelm Hwy Annexation

To whom it may concern:

On February 20, 2018, the Tumwater City Council approved a resolution of intent to annex 2 acres of land located at 806 Yelm Highway SE. The total assessed value of the annexation area is \$374,700.

Because the property proposed for annexation is less than ten acres in size and less than \$2 million in total tax assessed valuation, the City of Tumwater requests the Thurston County Boundary Review Board waive the 45-day review period in accordance with Section 36.93.110 RCW. Enclosed are the eight copies of the completed waiver application and the required attachments.

Respectfully,

David Ginther, Senior Planner
Community Development Department
City of Tumwater



Thurston County Boundary Review Board

2424 Heritage Court SW, Suite A

Olympia, WA 98502

(360) 956-7575 / (360) 956-7815 (Fax)

Email: brbchiefclerk@trpc.org

www.trpc.org/873/Thurston-County-Boundary-Review-Board

**NOTICE OF INTENTION
THURSTON COUNTY BOUNDARY REVIEW BOARD**

APPLICATION FOR ANNEXATION/MERGER

SUBMITTAL REQUIREMENTS

Annexation: Original + 6 copies

CD containing all documents as separated .pdf format files

Waiver: Original + 8 copies

CD containing all documents as separated .pdf format files

1. Jurisdiction Requesting Annexation/Merger: City of Tumwater

Responsible Official: David Ginther

Phone: 360 754-4180

FAX: 360 754-4126

E-mail: dginther@ci.tumwater.wa.us

2. If number of parcels is less than three, please list the owners:

Ron and Nancy Noble 44200001803

Ron and Nancy Noble 44200001904

3. Method used to initiate the proposed action: Unincorporated Island Method

4. Location (address, if assigned): 806 Yelm Highway SE and a vacant property without an address assigned.

5. Legal Description. A copy of the legal description of the perimeter boundaries of the area involved in the proposed action certified by a registered engineer or land surveyor (attach as a separate exhibit):

6. Size in Acres: 2

7. Assessed Valuation (attach Assessor's information): \$374,700

8. Please state the nature of this action and the relevant statutory citation (i.e., annexation for municipal purposes pursuant to RCW 35.13.180):

Annexation of unincorporated island of territory within code city pursuant to RCW 35A.14.295

9. Current Joint Plan Designation:

Single Family Medium Density Residential

10. Is the site currently served by sewer or water?

Sewer Water Neither

If no, specify services desired: Sewer is available along the frontage on Yelm Highway SE

If sewer or water desired, include map showing location of nearest lines.

11. When is extension of water and sewer service planned to the area:

Sewer and water are available along the frontage on Yelm Highway SE

12. Does this proposal affect any other interjurisdictional agreements?

Yes No

If yes, please list these agreements:

13. Does this proposal conform to adopted county-wide planning policies on annexation?

Yes. III 3.3 Cooperate on annexations in order to accomplish an orderly transfer of contiguous lands within growth areas into the adjoining cities and towns. Cooperate on developing a streamlined and efficient process for annexation, while maintaining appropriate environmental review.

The proposal conforms with this policy because removal of an unincorporated island is consistent with an orderly transfer of contiguous lands within growth areas from County to City jurisdiction.

14. Other specific Reason(s) for Annexation: To eliminate an irregular boundary caused by the existence of an unincorporated island.

15. Explain how this proposal furthers the objectives of the Boundary Review Board (as applicable) (RCW 36.93.180) [attach additional pages if necessary] (Some of these items may not apply because of Growth Management Agreements.):

a. Preservation of natural neighborhoods and communities:

The proposal removes an unincorporated island. The existence of an unincorporated island can be disruptive for a neighborhood as it creates artificial divisions within the neighborhood in regards to voting, taxation, and municipal services to name a few.

b. Use of physical boundaries, including but not limited to bodies of water, highways, and land contours:

NA

c. Creation and preservation of logical service areas: The annexation is completely within the Tumwater Urban Growth Area (service area). The annexation eliminates an unincorporated island. Unincorporated islands represent illogical service areas.

d. Prevention of abnormally irregular boundaries: The annexation removes the abnormally irregular boundary created by the existence of an unincorporated island.

e. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas

NA

f. Dissolution of inactive special purpose districts: The subject property is one of two similar sized remnant islands of Fire District 15 Munn Lake which is not active, has no commissioners, and no contract for service with any fire district or department.

g. Adjustment of impractical boundaries: The annexation removes the impractical boundary created by the existence of an unincorporated island.

h. Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character

The annexation area contains one single family residential home.

i. Protection of agricultural lands:

NA

For your information, the Boundary Review Board can consider the following factors (RCW 36.93.170) in deciding whether a particular decision furthers the objectives stated above:

1. Population and territory
2. Population density
3. Land area and land use
4. Comprehensive use plans and zoning
5. Per capita assessed valuation
6. Topography, natural boundaries and drainage basins, proximity to other populated areas
7. The existence of prime agricultural soils and agricultural uses
8. The likelihood of significant growth in the area and in adjacent incorporation and unincorporated areas during the next ten years
9. Location and most desirable future location of community facilities
10. Municipal services
11. Need for municipal services
12. Effect of ordinances, governmental codes, regulations and resolutions on existing uses
13. Present cost and adequacy of governmental services and controls in area
14. Prospects of governmental services from other sources
15. Probable future needs for such services and controls
16. Probable effect of proposal or alternative on cost and adequacy of services and controls in area and adjacent area
17. The effect of the finances, debt structure, and contractual obligations and rights of all affected governmental units
18. The effect of the proposal or alternative on adjacent areas, on mutual economic and social interests, and on the local governmental structure of the county

19. Decisions of the Boundary Review Board must also be consistent with the Washington State Growth Management Act RCW 36.70A.020, 36.70A.110, and 36.70A.210.

REQUIRED ATTACHMENTS:

SUBMITTAL REQUIREMENTS

Annexation: Original + 6 copies

CD containing all documents as separated .pdf format files

Waiver: Original + 8 copies

CD containing all documents as separated .pdf format files

THURSTON COUNTY BOUNDARY REVIEW BOARD:

- I. Notice of Intention (the Boundary Review Board's Notice).
- II. Maps *(NOTE: Must have legends/Colored maps no larger than 11 x 17 inches are encouraged in .pdf format and attachments.)*

The following maps must be submitted with all notices of intention:

- A. Map of Entire City/Area. No larger than 11 x 17 inches:
 1. The general vicinity of the proposal.
 2. The area proposed for annexation, highlighted in some manner.
 3. The boundaries of other cities near the annexation area (highlighted if not readily discernable).
 4. Major streets/roads identified.
- B. Assessor's Map showing specific parcel(s) and immediate vicinity, (reduced copy is preferable). Valuable, but not required:
 1. Map showing parcel numbers for the proposal and immediate vicinity
 2. Map showing owner names for the proposal and immediate vicinity
- C. Physical Features. One or more maps showing the following (when available):
 1. Dominant physical features such as lakes, creeks, and ravines
 2. Flood plain boundaries (100-year)
 3. Railroad lines
 4. All public roads near the annexation/merger
 5. Commercial agriculture lands (when this information is available)
- D. Service Area and Other Boundaries. Map showing the proposed annexation and its relationship to the Urban Growth Boundary.

E. Other Maps

1. Existing joint plan zoning.
 2. Location of water and sewer mains within proposed annexation, if any, and those nearby (any jurisdiction).
- III. \$50.00 check made out to “Thurston Regional Planning Council”. (*Note: fee will not be processed until application is determined complete*)
- IV. Election Method: Complete copy of minutes of the meeting during which the City Resolution calling for annexation election is adopted or the city accepted the petition for election (certified if appropriate); OR
- V. Direct Petition Method:
1. Affidavit of publication of the initial public meeting notice.
 2. Copy of minutes of the public meeting required in which the city accepts the proposed annexation.
 3. A signed copy of the decision by the city accepting the proposed annexation. The Notice on Intent to annex needs to be filed with the Boundary Review Board within 180 days of the date when the city accepts the proposed annexation.
 4. Affidavit of publication of the public hearing as required under RCW35A.14.130.
- VI. Copies of the signed petitions for annexation with parcel numbers of the properties, which are represented by the signatures – this does not apply to cities.
- VII. Copy of the Declaration of Petition Sufficiency from the Office of the Thurston County Assessor (see RCW 35.21.005(4) for non-code cities, or 35A.01.040(4) for code cities).
- VIII. SEPA Determination (except cities or towns per RCW 43.21C.222)

Additional information (added by Tumwater)

1. PROOF OF PUBLICATION

A. The proof of publication for the public hearing notice is attached. In accordance with state law the entire resolution was published in the local newspaper twice in the two weeks leading up to the public hearing.

2. RESOLUTION NO. R2018-002

A. The resolution of intent to annex is attached. There were two resolutions; one to publish as a public hearing notice in the newspaper and one to approve at the public hearing as a resolution of intent to annex. The

resolutions were as close to similar as possible. State law requires the one published in the paper to announce the upcoming hearing as if it is a public notice, whereas the one Council approves at the actual hearing has to signal Council's intent to annex the subject property and doesn't need to announce a hearing that has just occurred. That is why section 4 was removed from the signed resolution.

806 Yelm Highway SE
ISLAND ANNEXATION DESCRIPTION

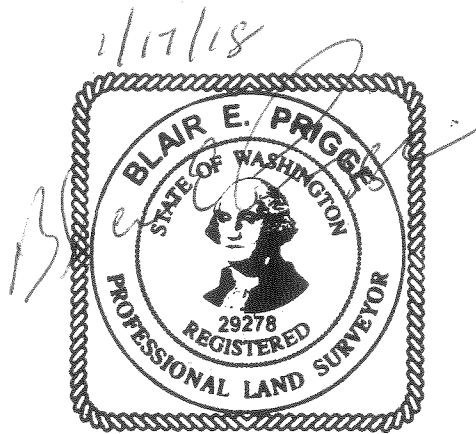
THE EAST 223.6 FEET OF THE WEST HALF OF LOT 18, TOGETHER WITH THE EAST 223.6 FEET OF THE SOUTH 75 FEET OF THE WEST HALF OF LOT 19, DESCHUTES VALLEY ADDITION TO TUMWATER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN VOLUME 5 OF PLATS, PAGE 74, RECORDS OF THURSTON COUNTY, EXCEPT ANY PORTION CONVEYED TO THE CITY OF TUMWATER BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 3169011.

TOGETHER WITH ANY PORTION OF YELM HIGHWAY ADJACENT TO SAID PARCEL NOT YET ANNEXED TO THE CITY OF TUMWATER.

IN THURSTON COUNTY, WASHINGTON.

PREPARED BY:

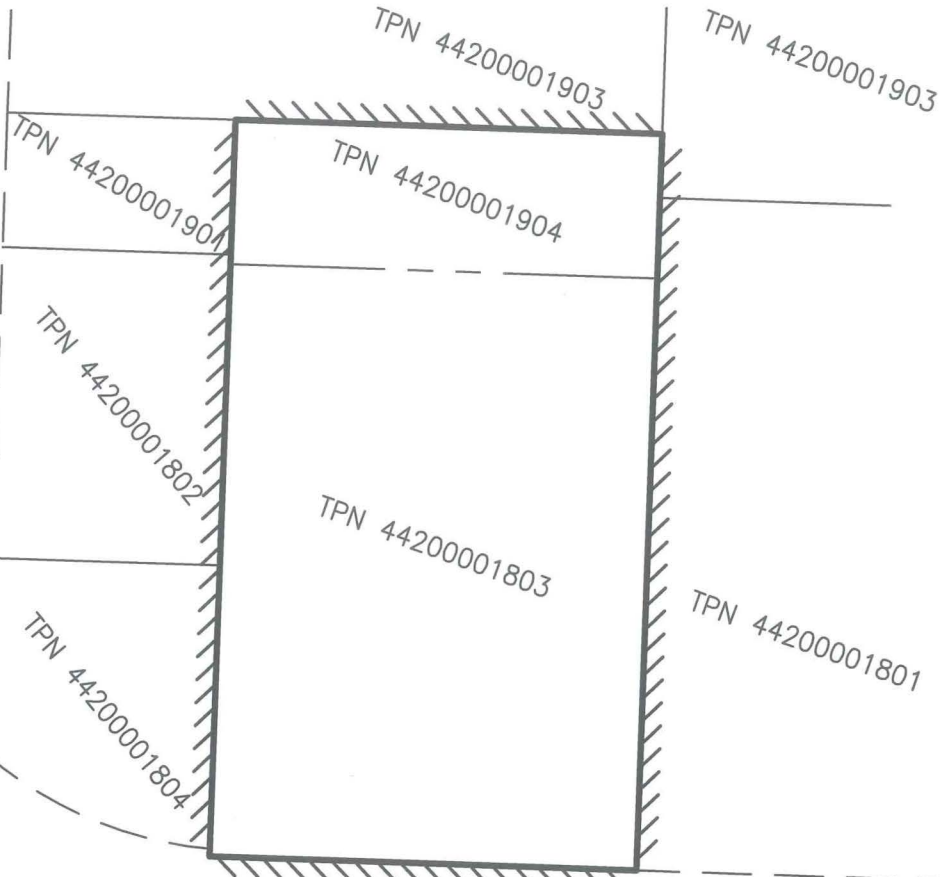
Blair Prigge, PLS
MTN2COAST, LLC
01/17/2018






NE1/4, SEC 35, T 18N, R 2W, WM

DELTA LN SE

YELM HWY SE



LEGEND

-  EXISTING CITY OF TUMWATER LIMITS
-  BOUNDARY OF AREA BEING ANNEXED
-  PARCEL LINES

1/17/18



PROFESSIONAL LAND SURVEYORS
 OLYMPIA, WA
 360.239.1497



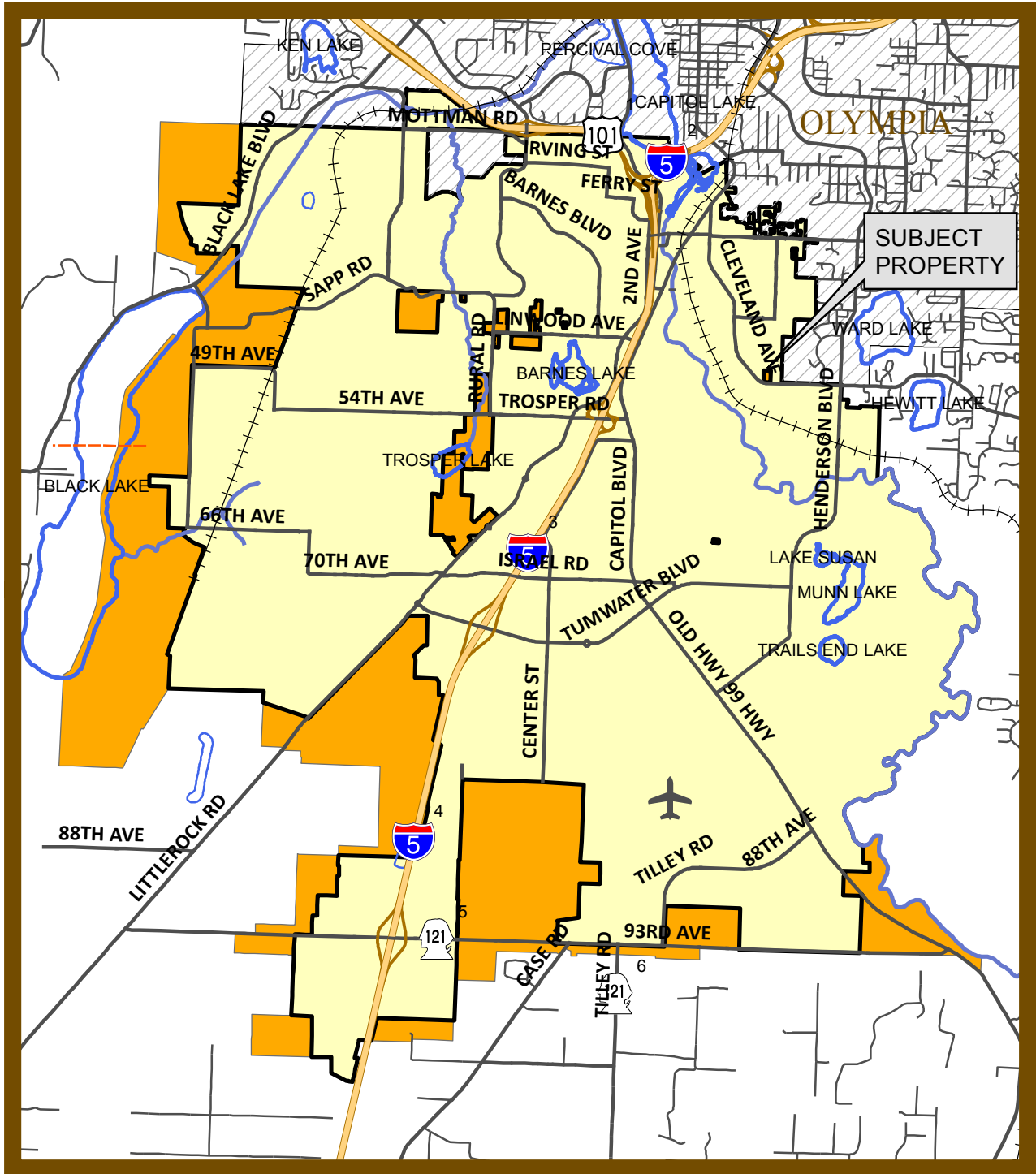
**806 YELM HIGHWAY—
 ISLAND ANNEXATION**

JOB NUMBER 18-703
 DATE 01/17/2018
 SCALE 1"=100'

Assessor's Information

PARCEL_NO	SITUS_STRE	SITUS_CITY	SITUS_ZIP	TOTAL_ACRE	TOTAL_VALU
44200001803	806 YELM HWY SE	TUMWATER	98501	1.57000000000	315100.00000000000
44200001904				0.38000000000	59600.00000000000

806 YELM HIGHWAY SE ISLAND ANNEXATION MAP OF ENTIRE CITY/AREA



This map last updated: 2/27/2018
 This map was created by the City of Tumwater
 Community Development Department using ArcGIS
 10.3.1.

1 inch = 1 miles

Legend

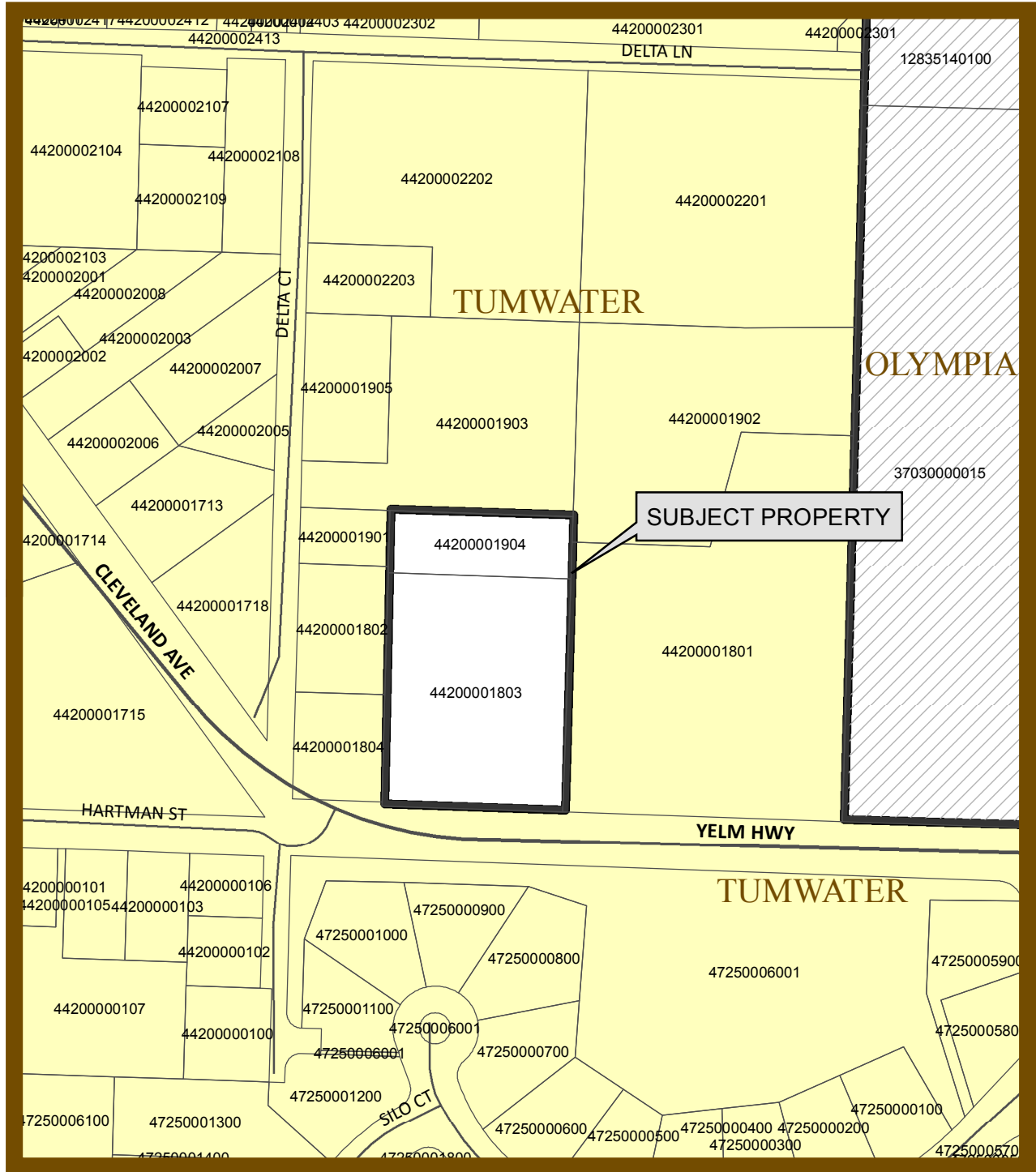
- Tumwater City Limits
- Tumwater Urban Growth Area
- City of Olympia
- Railroad

CITY OF TUMWATER GIS AND MAPPING DISCLAIMER

This map product is prepared by the City of Tumwater Community Development Department for and intended for internal department use. The City of Tumwater or agents thereof make no warranties, either expressed or implied in matters of a public or private access or in matters that can be confirmed by an official survey by a professional land surveyor or in the merchantability or fitness of the data included herein for a particular purpose. The user agrees to indemnify and hold the City of Tumwater harmless from any and all damage, liability, cost or loss including reasonable attorneys' fees and costs of defense that the City of Tumwater may suffer as a result of any claims, demands, costs, or judgements arising from any use of this product and any errors or omissions.



806 YELM HIGHWAY SE ISLAND ANNEXATION ASSESSORS MAP - PARCEL NUMBERS



This map last updated: 2/21/2018
 This map was created by the City of Tumwater
 Community Development Department using ArcGIS
 10.3.1.

1 inch = 200 feet

CITY OF TUMWATER GIS AND MAPPING DISCLAIMER

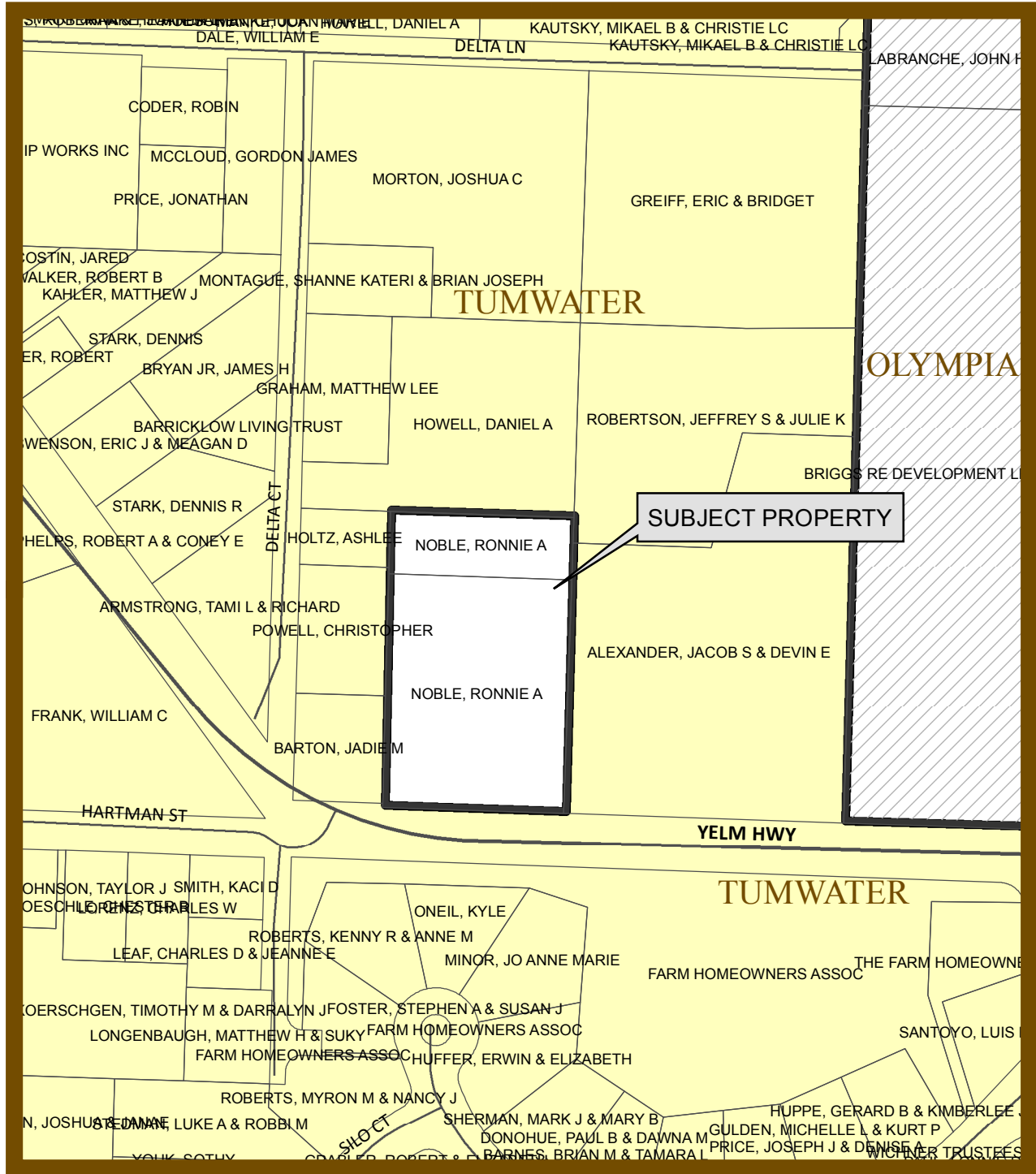
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Legend

- City of Olympia
- City of Tumwater

806 YELM HIGHWAY SE ISLAND ANNEXATION ASSESSORS MAP - OWNER NAMES



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 10.3.1.

1 inch = 200 feet

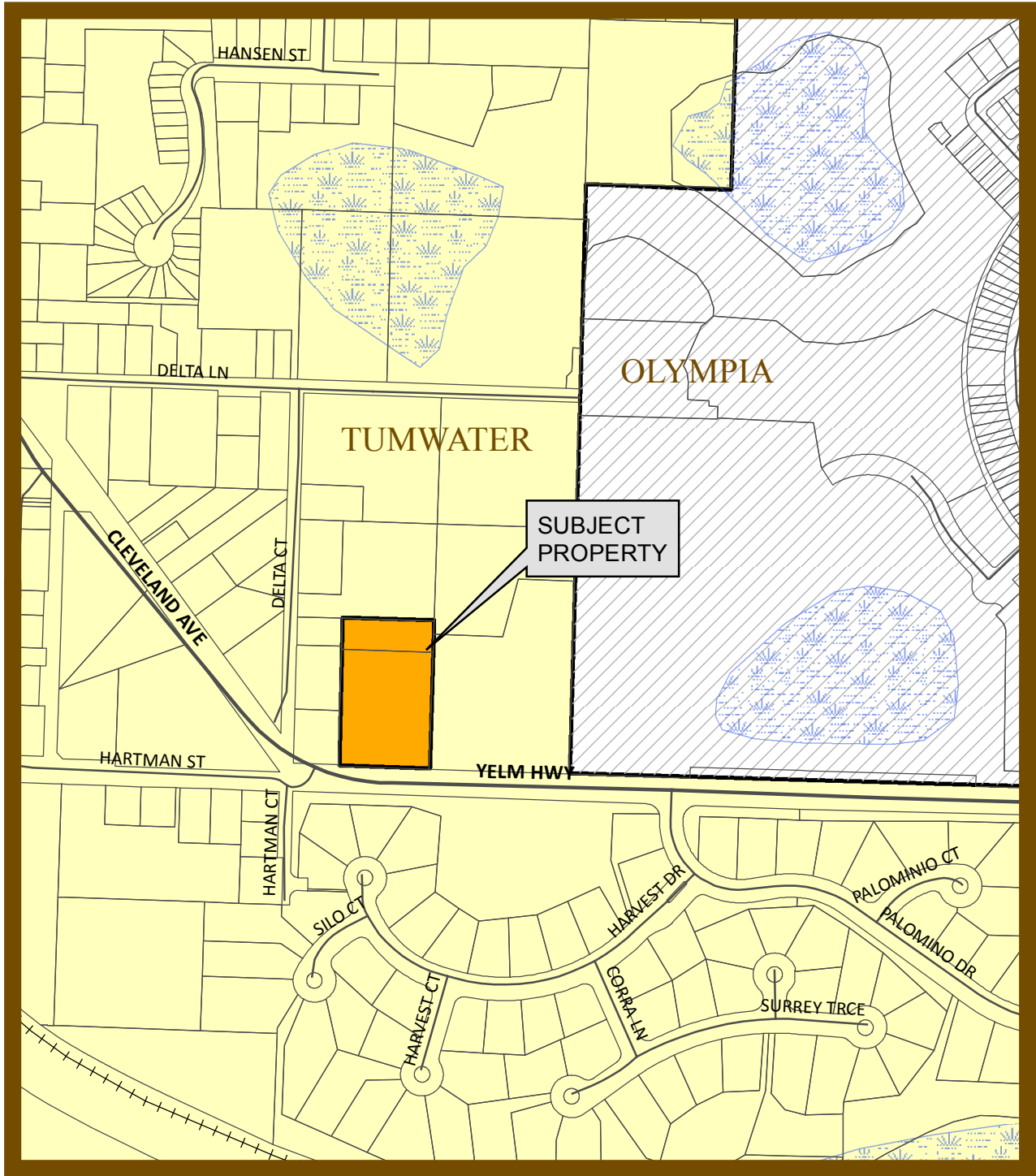
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Legend

- City of Olympia
- City of Tumwater

806 YELM HIGHWAY SE ISLAND ANNEXATION PHYSICAL FEATURES



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 Community Development Department using ArcGIS
 10.3.1.

1 inch = 400 feet

CITY OF TUMWATER GIS AND MAPPING DISCLAIMER

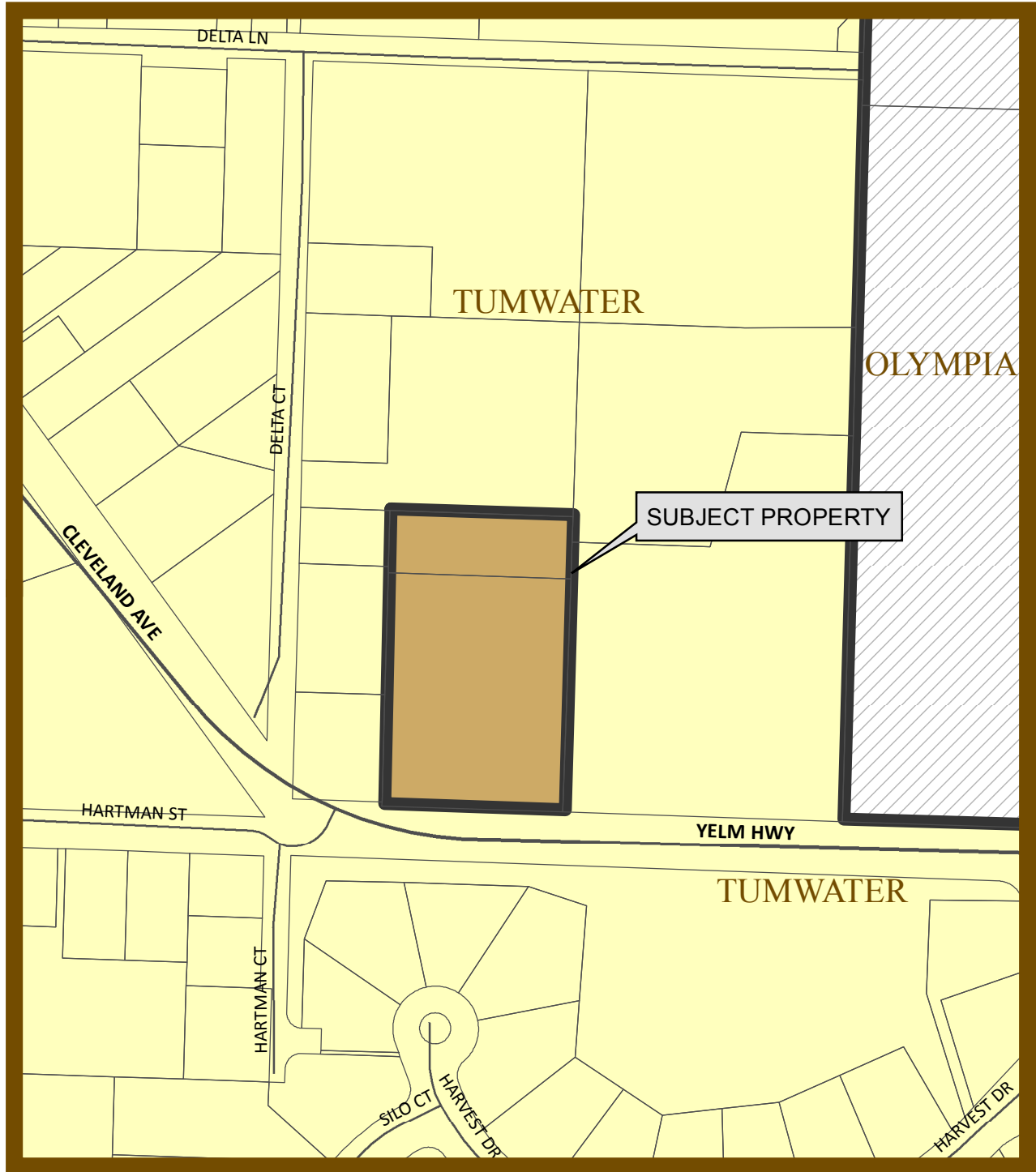
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Legend

- Tumwater City Limits
- Tumwater Urban Growth Area
- City of Olympia
- Railroad
- Wetland

806 YELM HIGHWAY SE ISLAND ANNEXATION SERVICE AREA AND OTHER BOUNDARIES



This map last updated: 2/21/2018
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 Community Development Department using ArcGIS
 10.3.1.

1 inch = 200 feet

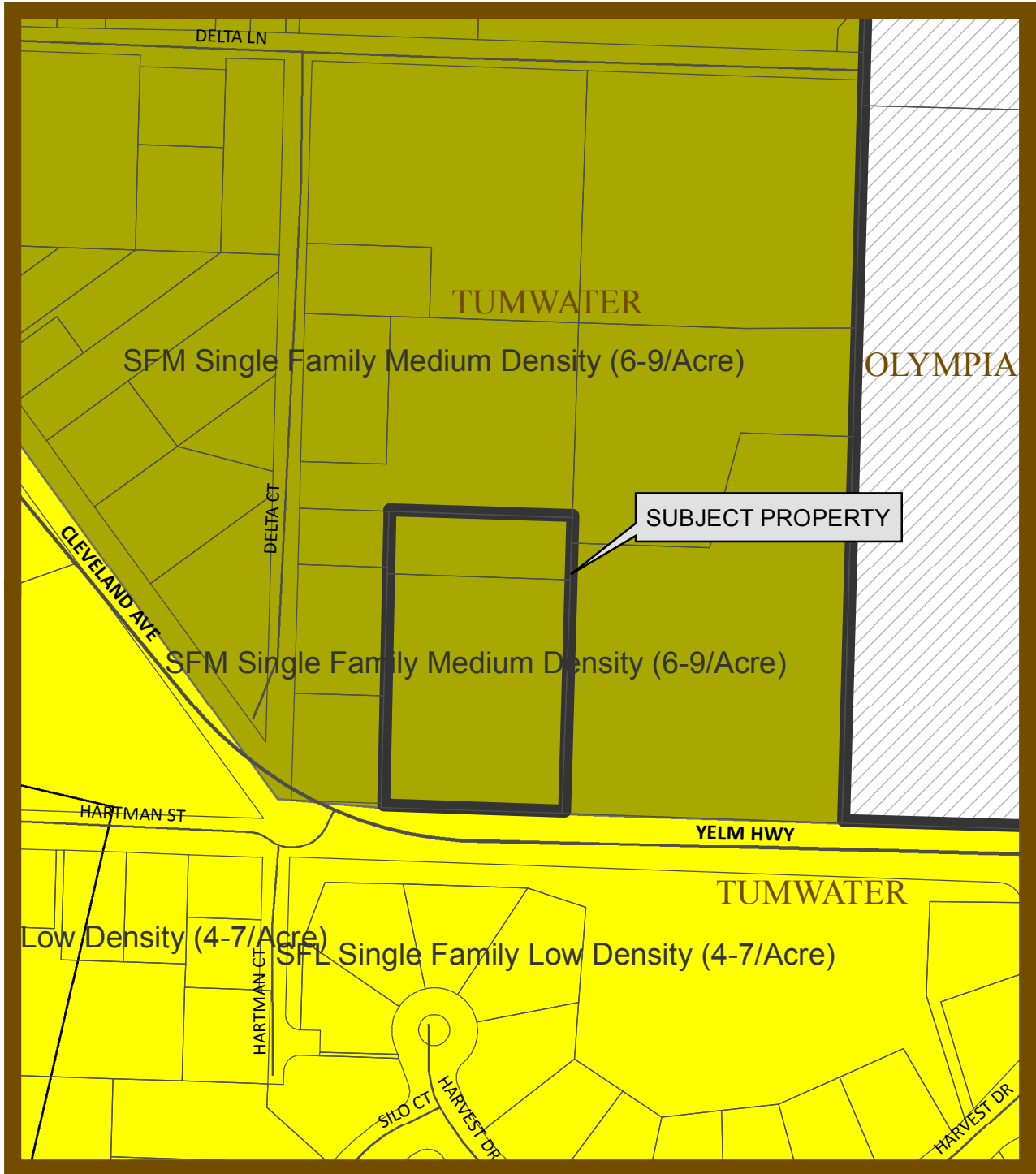
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Legend

- City of Olympia
- City of Tumwater
- Urban Growth Area (UGA)

806 YELM HIGHWAY SE ISLAND ANNEXATION EXISTING JOINT PLAN ZONING



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 Community Development Department using ArcGIS
 10.3.1.

1 inch = 200 feet

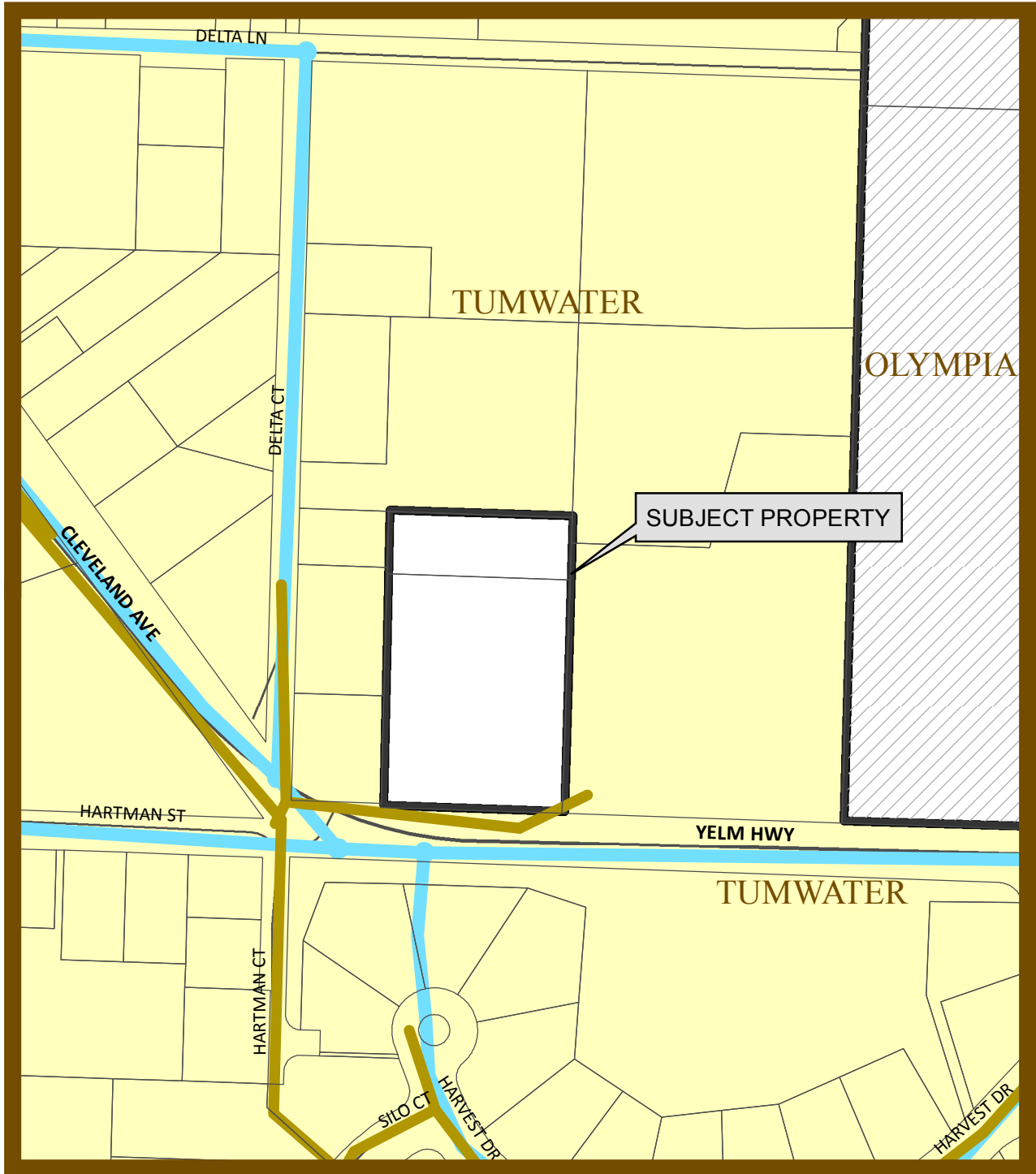
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Legend

- City of Olympia
- City of Tumwater

806 YELM HIGHWAY SE ISLAND ANNEXATION WATER AND SEWER MAINS



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 Community Development Department using ArcGIS
 10.3.1.

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Legend

- City of Olympia
- City of Tumwater
- Sewer Lines
- Water Lines

Order Confirmation

Customer

CITY OF TUMWATER

Customer Account

258811

Customer Address

555 ISRAEL RD SW
OLYMPIA WA 985016515 USA

Customer Phone

360-754-5855

Customer Fax

Sales Rep

swilliams@theolympian.com

Payor Customer

CITY OF TUMWATER

Payor Account

258811

Payor Address

555 ISRAEL RD SW
OLYMPIA WA 985016515 USA

Payor Phone

360-754-5855

Customer EMail

Order Taker

swilliams@theolympian.com

PO Number	Payment Method	Blind Box	Tear Sheets	Proofs	Affidavits
	Invoice		0	0	1

Net Amount	Tax Amount	Total Amount	Payment Amount	Amount Due
\$939.38	\$0.00	\$939.38	\$0.00	\$939.38

Ad Order Number	Order Source	Ordered By	Special Pricing
0003509827			
Invoice Text			Promo Type
Package Buy			Materials

Ad Order Information

<u>Ad Number</u>	<u>Ad Type</u>	<u>Production Method</u>	<u>Production Notes</u>
0003509827-01	OLY-Legal Liner	AdBooker	

<u>External Ad Number</u>	<u>Ad Attributes</u>	<u>Ad Released</u>	<u>Pick Up</u>
		No	

<u>Ad Size</u>	<u>Color</u>
1 X 126 li	

<u>Product</u>	<u>Placement</u>	<u>Times Run</u>
TAC-OL-The Olympian	0300 - Legals Classified	2

<u>Run Schedule Invoice Text</u>	<u>Position</u>
#3643 RESOLUTION NO. R2018-002 A RESOLUT	0301 - Legals & Public Notices

Run Dates
02/06/2018, 02/13/2018

RESOLUTION NO. R2018-002

A RESOLUTION of the City Council of the City of Tumwater, Washington, establishing intent to annex an unincorporated island of land located within the Tumwater Urban Growth Area at 806 Yelm Highway SE, in Thurston County, Washington, to the City of Tumwater.

WHEREAS, on January 8, 2018, the owners of property located at 806 Yelm Highway SE contacted the City of Tumwater and requested their property be annexed to Tumwater; and

WHEREAS, the two acres of property located at 806 Yelm Highway SE, parcel numbers 44200001803 and 44200001804, is completely surrounded by the City of Tumwater and qualifies as an unincorporated island; and

WHEREAS, RCW 35A.14.295 allows for a code city to annex unincorporated islands; and

WHEREAS, the City Clerk of the City of Tumwater caused Notice of Public Hearing on the resolution to annex to be posted and published in the manner provided by law; and

WHEREAS, the annexation is consistent with the City of Tumwater adopted annexation policies, the Countywide Planning Policies, and the Joint Plan adopted by Thurston County and the City of Tumwater; and

WHEREAS, the Tumwater City Council, having determined that the annexation of the hereinafter described property to the City of Tumwater would be in the public interest and for the public welfare and in the best interest of the City of Tumwater and the citizens thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUMWATER AS FOLLOWS:

Section 1. The Tumwater City Council hereby declares its intent to annex the following property:

THE EAST 223.6 FEET OF THE WEST HALF OF LOT 18, TOGETHER WITH THE EAST 223.6 FEET OF THE SOUTH 75 FEET OF THE WEST HALF OF LOT 19, DESCHUTES VALLEY ADDITION TO TUMWATER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN VOLUME 5 OF PLATS, PAGE 14, RECORDS OF THURSTON COUNTY, EXCEPT ANY PORTION CONVEYED TO THE CITY OF TUMWATER BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 3169011, TOGETHER WITH ANY PORTION OF YELM HIGHWAY ADJACENT TO SAID PARCEL NOT YET ANNEXED TO THE CITY OF TUMWATER, IN THURSTON COUNTY, WASHINGTON.

Section 2. It is hereby further declared that upon annexation, the property described in Section 1 above shall be subject to existing indebtedness of the City of Tumwater. Zoning and land use designations shall be applied which are consistent with the Tumwater Comprehensive Plan. The Aquifer Protection Overlay Zone shall also be applied to the property described in Section 1 above.

Section 3. In accordance with the requirements of RCW 35A.14.295(2) to specify the number of voters residing therein, it is hereby declared that there are two voters residing within the unincorporated island.

Section 4. Notice is hereby given that the Tumwater City Council will hold a public hearing at or about 7:00 p.m. on Tuesday, February 20, 2018, in the Council Chambers, Tumwater City Hall, 555 Israel Road SW, Tumwater, WA.

Section 5. Upon the Thurston County Boundary Review Board's approval of this annexation, the city attorney is directed to prepare an ordinance for council consideration annexing said property to the City of Tumwater.

Section 6. Ratification. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

Section 7. Severability. The provisions of this Resolution are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section,

or portion of this Resolution or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the Resolution, or the validity of its application to other persons or circumstances.

Section 8. Effective Date. This Resolution shall become effective immediately upon adoption and signature as provided by law.

RESOLVED this 20th day of February, 2018.

CITY OF TUMWATER

Pete Kmet, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

Printed: February 6, 13, 2018

**TUMWATER CITY COUNCIL MEETING
MINUTES OF MEETING
February 20, 2018 Page 1**

CONVENE: 7:01 p.m.

PRESENT: Mayor Pete Kmet and Councilmembers Joan Cathey, Eileen Swarthout, Michael Althausser, Debbie Sullivan, Tom Oliva, and Neil McClanahan.

Staff: City Administrator John Doan, City Attorney Karen Kirkpatrick, Police Chief Jon Weiks, Fire Chief Scott LaVielle, Assistant City Administrator Heidi Behrends Cerniwey, Finance Director Ursula Euler, Public Works Director Jay Eaton, Community Development Director Michael Matlock, Senior Planner David Ginther, Communications Manager Ann Cook, and Recording Secretary Valerie Gow.

ADDITIONS TO THE AGENDA: Councilmember Swarthout requested moving the *Preliminary Docket for 2018 Comprehensive Plan Map Amendments & Associated Rezones & Text Amendments* from the Consent Calendar to Council Considerations for discussion.

PUBLIC COMMENT: **Tom Crawford, 2793 Windsor Lane SW, Tumwater,** thanked the Council for its continuing commitment on climate action over the last several years and for committing to participate with the cities of Olympia and Lacey functionally and financially to develop a regional climate action plan. The Council likely appreciates the increasing urgency of climate change and the effect it is having locally, nationally, and worldwide. He encouraged the Council to pursue the plan so communities can take effective action to reduce greenhouse gas emissions. He asked for an update on the status of the tri-city effort. Additionally, the Thurston Thrives Climate Energy Workgroup is also planning a brief the Thurston County Commission later in the month.

Mayor Kmet reported the three cities are identifying the path forward as each city is at different point in the process. Thurston Regional Planning Council (TRPC) staff proposed a workplan for review by the cities later in the week. The next step includes an inventory of current efforts and establishing some common goals and next steps. The City of Lacey has moved forward with its plan and is somewhat reluctant to invest financially in the process until the benefits of the effort can be identified for the city.

Pamela Hanson 801 Israel Road, Tumwater, spoke in opposition of the Governor endorsing a marijuana festival by being the keynote speaker, as well as the Attorney General's legal action against Motel

**TUMWATER CITY COUNCIL MEETING
MINUTES OF MEETING
February 20, 2018 Page 2**

Six for providing information to law enforcement. Both politicians are destabilizing Washington State. As a contracted municipal enforcement agent in the state of Alaska, she was stalked and targeted for her actions of photographing license plates and vehicle locations. She has no idea how many of her valid tickets were reversed by her low-wage paying boss during her daily route.

CONSENT CALENDAR:

- a. Approval of Minutes: Regular Meeting, February 6, 2018
- b. Payment of Vouchers
- c. Acceptance of Work: Peter G. Schmidt Sidewalk Construction Project
- d. Ordinance No. O2017-034, Tye Drive: Water Special Connection Charge
- e. Ordinance No. O2017-035, Tye Drive: Sewer Special Connection Charge
- f. Ordinance No. O2017-036, Tye Drive Street Special Assessment
- g. Tumwater Valley Drive Realignment Project – Service Provider Agreement
- h. Ordinance No. O2017-021, Light Industrial Zone District Setbacks
- i. Preliminary Docket for 2018 Comprehensive Plan Map Amendments & Associated Rezones & Text Amendments - ***Pulled***
- j. Preliminary Docket for 2018 Annual Development Code Housekeeping Amendments
- k. Tumwater Police Guild Memorandum of Understanding for Medical Insurance
- l. Resolution No. R2018-004, Scheduling of Public Hearing for Right-of-Way Vacation Request along a portion of Henderson Boulevard south of Yelm Highway
- m. 2018-2022 Operating Agreement TCMedia

MOTION:

Councilmember Oliva moved, seconded by Councilmember Sullivan, to approve the consent calendar as amended. Motion carried unanimously.

Mayor Kmet reviewed the items approved on the consent calendar.

PUBLIC HEARINGS:

**RESOLUTION NO.
R2018-002, 806 YELM
HIGHWAY**

Planner Ginther reported the proposal is to annex one of the City's unincorporated islands. Currently, the City has 14 unincorporated county islands. The proposal pertains to a county island located at

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ANNEXATION:

806 Yelm Highway near the city limits of Olympia. The island is comprised of two properties under one ownership. The one home has been connected to City water for some time and was part of the Fire District 15.

Because the annexation has been requested by the owners, a different method of annexation is applicable because the annexation is subject to referendum for 45 days. Should the Council approve moving forward, staff forwards a packet to the Thurston County Boundary Review Board for a 45-day review period. After 45 days, the Council will consider an ordinance that is subject to referendum election for another 45 days. Following the end of the 45-day period, the ordinance would become affective affirming the annexation.

Councilmember Althausser requested confirmation that the property owner is the only party that could pursue a referendum. Planner Ginther affirmed the property owner is the only party eligible to pursue a referendum.

Mayor Kmet opened the public hearing at 7:18 p.m. With there being no public testimony, Mayor Kmet closed the public hearing at 7:18 p.m.

MOTION:

Councilmember McClanahan moved, seconded by Councilmember Sullivan, to approve Resolution No. R2018-002, 806 Yelm Highway Annexation. Motion carried unanimously.

**RESOLUTION NO.
R2018-008,
DEVELOPMENT
AGREEMENT WITH
CRAFT DISTRICT LLC:**

Director Eaton said the public hearing is to consider a development agreement between the City and Craft District LLC to define the responsibilities between the City and the District for the construction of City transportation and utility infrastructure improvements in conjunction with a planned development by Craft District LLC.

Director Eaton described how the City's future project to extend E Street across Tumwater Valley from Capitol Boulevard to Cleveland Avenue prompts other local infrastructure improvements. The project includes the reconstruction of the intersection at Capitol Boulevard and E Street. Today, Tumwater Valley Drive intersects E Street near Capitol Boulevard. The E Street Extension project requires the removal and relocation of Tumwater Valley Drive to 900 feet south of the existing intersection or halfway between E Street and Linwood Avenue. The City recently acquired the necessary right-of-way for the realignment. Based on the proposed

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development project by Craft District LLC at the southeast corner near the existing terminus of Tumwater Valley Drive, the primary access to the development would be through the new realigned street. The owner is required to construct necessary infrastructure for access to the development. However, based on plans to facilitate the E Street Extension, the Council agreed to move forward with the realignment and relocation of Tumwater Valley Drive and the development agreement with Craft District LLC.

Director Eaton identified the proposed new location of Tumwater Valley Drive on an aerial illustration and a proposed roundabout at E Street and Capitol Boulevard. He shared a preliminary copy of the Craft District development site plan.

Street lights will be installed along Capitol Boulevard replacing existing street lights located in the median along Capitol Boulevard, as well as repurposing a portion of Tumwater Valley Drive for parking and access for use by the City and the development. The project includes conversion of overhead utility lines to underground along the frontage of the development. High voltage transmission lines will remain overhead. Extension of water lines to serve the development and to meet future City needs and right-of-way vacation and dedication are also included in the proposal.

Director Eaton described the water main extensions and oversizing requirements.

The proposed development agreement assigns the responsibilities for the different elements to the party responsible for completing the improvements.

Councilmember Swarthout asked about the timing of the new street prior to the extension of E Street. Director Eaton advised that the extension of E Street is a future project of at least several years. Because Tumwater Valley Drive experiences a significant volume of traffic, moving that volume from the E Street/Capitol Boulevard intersection will improve the efficiency of the signal.

Mayor Kmet asked about plans to retain the entrance to Tumwater Valley Drive. Director Eaton said design work would define the layout, as the City would like to retain access to that area for special events. A future Deschutes Valley Trail segment is planned for the area, which will be accommodated in the project design. He referred to proposed language changes in the agreement to ensure

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the design and construction of the improvements accommodates the City's future Deschutes Valley Trail through the area.

Director Eaton addressed questions from the Council on the status and timing of intersections and future roundabouts along Capitol Boulevard between E Street and Linwood Avenue.

Councilmember Cathey expressed concerns about the proposed parking area located close to the Deschutes River. She noted that development activity on the site has lessened considerably. Director Eaton said he suspects that part of the reason for is the amount of dirt that needs to be removed. Removal and relocation of the material is pending approval of the development agreement.

Mayor Kmet opened the public hearing at 7:38 p.m. With there being no public testimony, Mayor Kmet closed the public hearing at 7:39 p.m.

Director Eaton noted that the proposed action is subject to estimated costs for each party. Some estimates for the elements are currently in process. The figures included in the agreement are high estimates. The proposed action by the Council affords the opportunity to refine the estimates as long as the estimates do not increase.

MOTION:

Councilmember McClanahan moved, seconded by Councilmember Sullivan, to approve Resolution No. R2018-008 and authorize the Mayor to sign the Development Agreement with the Craft District LLC (District) in substantially the same form as presented and as amended, so long as the values included in the agreement do not increase. Motion carried unanimously.

**COUNCIL
CONSIDERATIONS:**

**RESOLUTION NO.
R2018-006, APPOINTING
"FOR" COMMITTEE IN
SUPPORT OF
INITIATIVE NO. 1:**

Mayor Kmet outlined the request to appoint a "For" Committee for Initiative No. 1. The City received three responses to serve on the committee.

City Attorney Kirkpatrick advised of the requirement to appoint three individuals to the committee.

MOTION:

Councilmember Oliva moved, seconded by Councilmember

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Sullivan to authorize the Mayor to sign Resolution No. R2018-006 appointing Karen Gower, Dave Nicandri, and Jack Wittenborn to the “For” Committee for Initiative No. 1.

City Administrator Doan reported the committee’s scope of work is limited to developing a statement in support of Initiative No. 1.

Councilmember Cathey asked whether the committee’s submittals are reviewed by each opposing committee or forwarded directly to the County Auditor. City Attorney Kirkpatrick advised that statements are submitted to the County Auditor. Mayor Kmet added that the County Auditor shares the statement with the opposing committee with the opposing committee entitled to submit a short rebuttal, which is published in the voter’s pamphlet.

MOTION:

Motion carried unanimously.

**RESOLUTION NO.
R2018-007, APPOINTING
“AGAINST”
COMMITTEE IN
SUPPORT OF
INITIATIVE NO. 1:**

Mayor Kmet reported the Council needs to select three appointees from the four applicants.

MOTION:

Councilmember Althauser moved, seconded by Councilmember McClanahan, to authorize the Mayor to sign Resolution No. R2018-007 appointing Dale Larson, Chris Colton, and Pete Kmet to the “Against” Committee for Initiative No. 1.

Councilmember Althauser noted that Chris Colton served on the previous committee and Dale Larson is active in the community. Mayor Kmet has worked actively on the issue for some time. The appointments reflect a variety of interests and backgrounds.

MOTION:

Motion carried unanimously.

**PRELIMINARY DOCKET
FOR 2018
COMPREHENSIVE PLAN
MAP AMENDMENTS
AND ASSOCIATED
REZONES & TEXT
AMENDMENTS:**

Councilmember Swarouth referred to the request to change Neighborhood Commercial to Multi-Family High Density. Previous reviews of the property during the development of design guidelines included a requirement for buffers and landscaping to protect the adjoining neighborhood. She wants to ensure that the same considerations are applied as the proposal moves forward. She questioned why the Multi-Family High Density was recommended as opposed to Multi-Family Medium Density, which matches zoning

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across the street from the property. The City's Land Use Plan from 2013 indicates Multi-Family High Density should be accompanied by significant open spaces, environmental protection for sensitive areas, and mass transit linkage in order to make higher density housing viable and compatible with the community. Although the Land Use Plan was updated in 2016, the spirit remains to ensure those protections remain intact. The updated version of the Land Use Plan specifies integrating design features of existing natural systems into the layout and siting of the residential dwelling units to preserve trees and significant ecological systems wherever practical and possible. She expressed concerns about the outcome of the development and buffers, as the regulations are not specific in terms of options for buffering from neighboring properties. She also spoke with a resident from the area who spoke with City staff about a required buffer because of existing wetlands. She asked that staff consider those concerns as the proposal moves forward.

Planner Ginther advised that the City requires a landscape buffer between different zones, as well as setbacks for structures for Multi-Family High Density, Multi-Family Medium Density, and Neighborhood Commercial zone districts abutting any single family residential zone. The setback is an additional 10 feet for each story above the ground floor for the new structure. Landscape buffers vary dependent upon the zones. Landscaping is required within a 10-foot buffer of a height of 6 feet of a solid row of evergreen trees or shrubs. Landscape buffers can be planted on an earthen berm as well. Additionally, the applicant requested Multi-Family High Density.

Mayor Kmet added that the proposal would be reviewed and considered by the Planning Commission as well as by the Council through the docket review process.

Councilmember Sullivan cited her personal circumstance when state offices developed next to her neighborhood and home. The buffer included a berm, fence, and trees. The trees have since matured and afford her home privacy. Although, time is required for landscaping to mature, the impacts can be mitigated by landscaping buffers.

Councilmember Cathey agreed with the concerns conveyed by Councilmember Swarthout. She questioned the reason for rezoning to high density development while also appreciative of Councilmember Sullivan's comments about the lack of privacy. She questioned the probability of high density development on such a

**TUMWATER CITY COUNCIL MEETING
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small parcel with environmental features.

Planner Ginther acknowledged the comments and indicated the concerns would be addressed during the Planning Commission's review.

MOTION:

Councilmember Sullivan moved, seconded by Councilmember Oliva, to approve the Preliminary Docket for 2018 Comprehensive Plan Amendments & Associated Rezones & Text Amendments and move to the Planning Commission for consideration to include the concerns as conveyed. Motion carried unanimously.

COMMITTEE REPORTS:

**PUBLIC HEALTH &
SAFETY COMMITTEE:
*Tom Oliva***

The committee received briefings on the use of Narcan by the Police Department. Narcan is administered to individuals suffering from an opioid overdose. The drug has saved many lives. Members were briefed by Fire Chief LaVielle on the update of the Comprehensive Emergency Management Plan. Members recommended approval of the plan to the City Council

Councilmember Swarthout commented that a letter from the Medical Director indicated Narcan would be carried by police officers and not by EMTs. Fire Chief LaVielle affirmed that was the direction based on the Medical Program Director's interpretation for EMTs to focus on ventilation until paramedics arrive.

Mayor Kmet added that there could be some risks associated with the use of Narcan. Fire Chief LaVielle affirmed that some victims often become conscious and agitated or sign a waiver refusing medical attention, which could result in the victim losing consciousness later and requiring another emergency response.

**GENERAL
GOVERNMENT
COMMITTEE:
*Joan Cathey:***

Three of the items reviewed by the committee were included on the consent calendar. The next meeting is on Tuesday, March 6.

**PUBLIC WORKS
COMMITTEE:
*Neil McClanahan***

The committee reviewed several of the items included on the consent calendar. The next meeting is on February 22 at 7:30 p.m.

BUDGET AND FINANCE

Mayor Kmet advised the Council of an email communication from

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COMMITTEE:
Pete Kmet

City Administrator Doan on the financial policies to determine if a meeting should be scheduled.

**MAYOR/CITY
ADMINISTRATOR'S
REPORT:**

Mayor Kmet reported the Transportation Policy Board reappointed Andy Ryder as Chair and Graeme Sackrison as Vice Chair. Members discussed upcoming federal transportation grants.

Mayor Kmet said he is serving as the City's LOTT Clean Water Alliance representative on the Board of Directors. Cynthia Pratt was appointed as Chair and Mayor Kmet was appointed as Vice Chair. LOTT members received an update on the groundwater study.

Mayor Kmet reported on a scheduled meeting with business owners located along Mottman Road regarding complaints about homeless individuals stealing items from businesses.

City Administrator Doan advised the Council of two developments pertaining to the upcoming Council interviews scheduled on Saturday, February 24. Stephen Ssemaala withdrew his application from consideration and Jonathan Kaplan has indicated he is unable to attend the interview and is requesting an alternate day and time for the interview.

Mayor Kmet outlined several options to consider. They include considering Mr. Kaplan's application in lieu of an interview or rescheduling the interview.

Following a thorough discussion by the Council surrounding rescheduling difficulties, lateness of the notification, and ensuring interview consistency for each candidate, a majority of the Council supported offering Mr. Kaplan the option of participating in a video interview with Mayor Kmet at a time determined by the Mayor. The video would be played during the scheduled time of Mr. Ssemaala's interview.

City Administrator Doan advised of the upcoming Thurston Conservation District 2018 Native Plant Festival and the annual vote for the Thurston Conservation District Board of Supervisors on March 3 from 10 a.m. to 3 p.m. at the office of the Thurston Conservation District in the Mottman Industrial Park.

City Administrator Doan shared several notes of appreciation and thanks acknowledging the Mayor and the Tumwater Youth Basketball Program.

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**COUNCILMEMBER
REPORTS:**

Michael Althausser: The Joint Animal Services Shelter recently experienced a theft of the agency's van. The suspect was apprehended. The van and the damaged fence were insured. The next meeting of the Joint Animal Services Commission is on March 1.

Eileen Swarthout: Members of the Olympia-Lacey-Tumwater Visitor and Convention Bureau Board of Directors reviewed a financial report for the year, the 2018 Business and Marketing Plan, and continued work on the draft of the employee handbook.

Joan Cathey: Members of the Community Investment Partnership (CIP) recently participated in a day-long retreat and discussed several issues. Members agreed it would not be possible to maintain some three-year funding commitments to some agencies because of funding cutbacks. Members committed to allocating more funds to basic needs. This year, the three largest cities are contributing more funds than last year. CIP Co-chairs were elected and Councilmember Cathey was elected to Chair the HHSC. Councilmember Althausser serves as Councilmember Cathey's alternate on the CIP.

Councilmember Cathey commented on the reduced level of CIP funding and its impact on many social service providers. TOGETHER will likely be impacted. She shared that she did not have a good understanding of the impact of TOGETHER in the City and in the school district. TOGETHER is one of nine organizations selected throughout the nation to serve community schools. This year, the City's Community Development Block Grant (CDBG) program offers up to 15% for service organizations. She believes that the organization would qualify and it would represent a commitment by the City through its CDBG funding process.

During the last Olympic Region Clean Air Agency meeting, members discussed wood stoves, wood smoke, and some problematic marijuana production facilities. Members are scheduled to establish some new goals and the agenda for 2018 during its retreat in March.

Councilmember Cathey acknowledged City Administrator Doan for his role as the MC during a recent community award ceremony.

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Debbie Sullivan:

The Intercity Transit Authority signed a one-year contract extension for marketing and communication services and an interlocal agreement with the City of Tumwater for the Transit Signal Priority project. The City of Tumwater is the first city to sign the agreement. The Authority approved an agreement with the Department of Enterprise Services for project management services. Councilmember Sullivan was elected as Chair of the Authority with Ryan Warner elected as Vice Chair. Karen Messmer, a Citizen Representative on the Authority will continue to serve as the agency's representative to TRPC. Don Melnick will serve as the representative on the Transportation Policy Board.

Tom Oliva:

The next meeting of the Thurston County Emergency Medical Services Council is on Wednesday, February 21.

Neil McClanahan:

During the last meeting of the Alliance for a Healthy South Sound, members discussed the ecological issues associated with the 67 outfalls draining directly to Capitol Lake. For the first time, members are addressing the outfalls as a major polluter of Puget Sound. The new emphasis represents a significant step forward.

ADJOURNMENT:

With there being no further business, Mayor Kmet adjourned the meeting at 8:55 p.m.

RESOLUTION NO. R2018-002

A RESOLUTION of the City Council of the City of Tumwater, Washington, establishing intent to annex an unincorporated island of land located within the Tumwater Urban Growth Area at 806 Yelm Highway SE, in Thurston County, Washington, to the City of Tumwater.

WHEREAS, on January 8, 2018, the owners of property located at 806 Yelm Highway SE contacted the City of Tumwater and requested their property be annexed to Tumwater; and

WHEREAS, the two acres of property located at 806 Yelm Highway SE, parcel numbers 44200001803 and 44200001904, is completely surrounded by the City of Tumwater and qualifies as an unincorporated island; and

WHEREAS, RCW 35A.14.295 allows for a code city to annex unincorporated islands; and

WHEREAS, the City Clerk of the City of Tumwater caused Notice of Public Hearing on the resolution to annex to be posted and published in the manner provided by law; and

WHEREAS, the annexation is consistent with the City of Tumwater adopted annexation policies, the County-wide Planning Policies, and the Joint Plan adopted by Thurston County and the City of Tumwater; and

WHEREAS, the Tumwater City Council, having determined that the annexation of the hereinafter described property to the City of Tumwater would be in the public interest and for the public welfare and in the best interest of the City of Tumwater and the citizens thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUMWATER AS FOLLOWS:

Section 1. The Tumwater City Council hereby declares its intent to annex the property described in Exhibit A and depicted in Exhibit B attached hereto and by this reference incorporated herein as fully set forth.

Section 2. It is hereby further declared that upon annexation, the property described in Section 1 above shall be subject to existing indebtedness of the City of Tumwater. Zoning and land use designations shall be applied which are consistent with the Tumwater Comprehensive Plan. The Aquifer Protection Overlay Zone

shall also be applied to the property described in Section 1 above.

Section 3. In accordance with the requirements of RCW 35A.14.295(2) to specify the number of voters residing therein, it is hereby declared that there are two voters residing within the unincorporated island.

Section 4. Upon the Thurston County Boundary Review Board's approval of this annexation, the city attorney is directed to prepare an ordinance for council consideration annexing said property to the City of Tumwater.

Section 5. Ratification. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

Section 6. Severability. The provisions of this Resolution are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Resolution or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the Resolution, or the validity of its application to other persons or circumstances.

Section 7. Effective Date. This Resolution shall become effective immediately upon adoption and signature as provided by law.

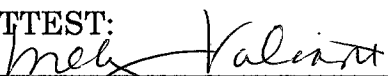
RESOLVED this 20th day of February, 2018.

CITY OF TUMWATER



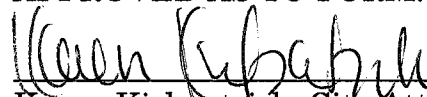
Pete Kmet, Mayor

ATTEST:



Melody Valiant, City Clerk

APPROVED AS TO FORM:



Karen Kirkpatrick, City Attorney

A.

806 Yelm Highway SE
ISLAND ANNEXATION DESCRIPTION

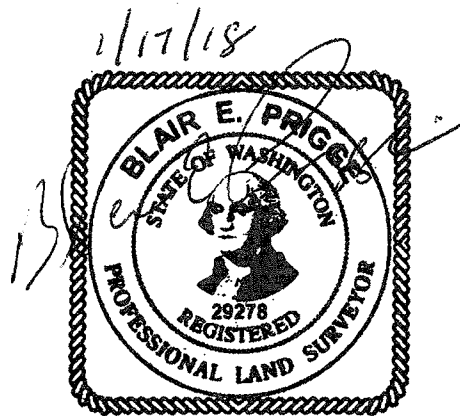
THE EAST 223.6 FEET OF THE WEST HALF OF LOT 18, TOGETHER WITH THE EAST 223.6 FEET OF THE SOUTH 75 FEET OF THE WEST HALF OF LOT 19, DESCHUTES VALLEY ADDITION TO TUMWATER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN VOLUME 5 OF PLATS, PAGE 74, RECORDS OF THURSTON COUNTY, EXCEPT ANY PORTION CONVEYED TO THE CITY OF TUMWATER BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 3169011.

TOGETHER WITH ANY PORTION OF YELM HIGHWAY ADJACENT TO SAID PARCEL NOT YET ANNEXED TO THE CITY OF TUMWATER.

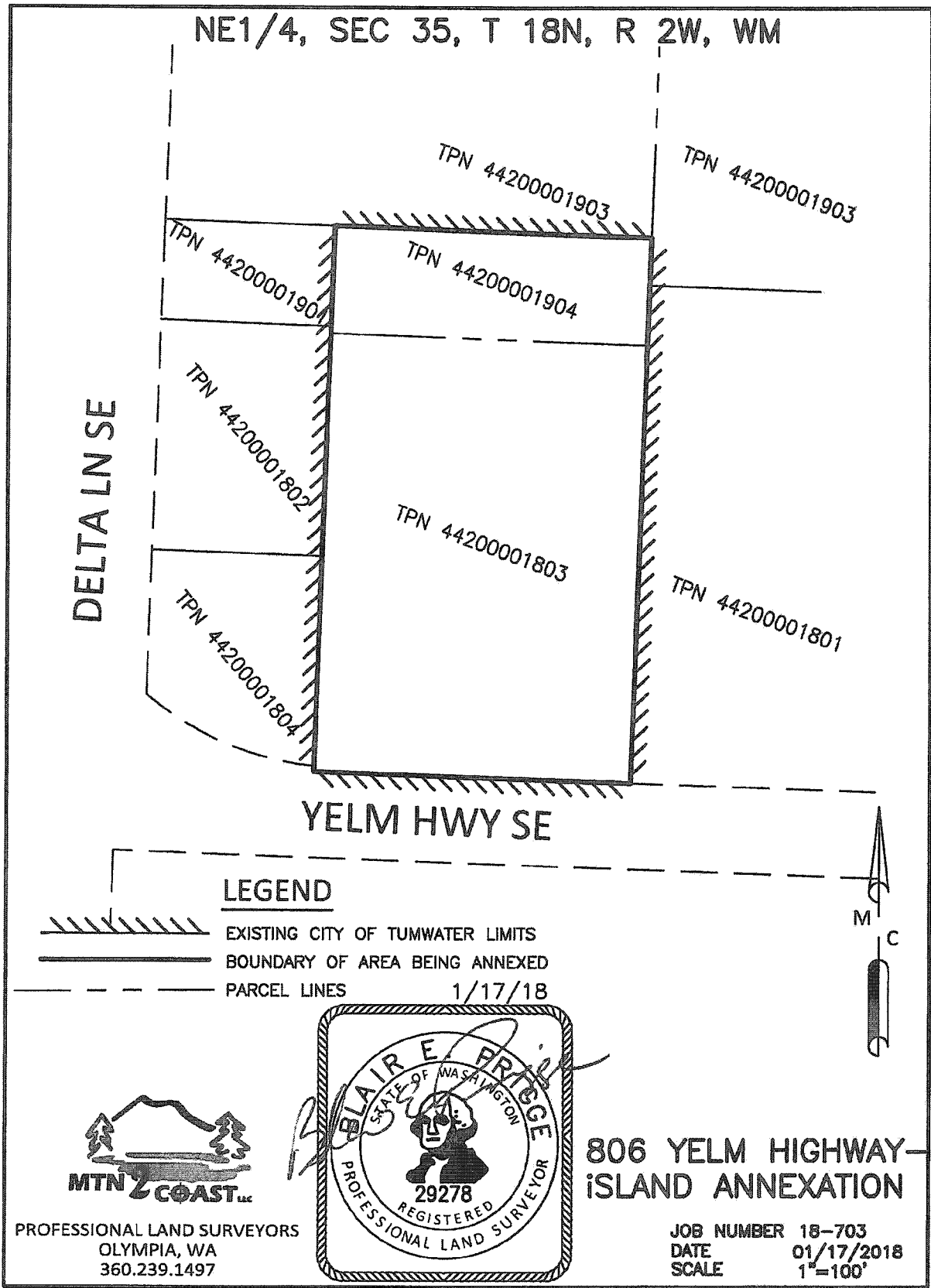
IN THURSTON COUNTY, WASHINGTON.

PREPARED BY:




Blair Prigge, PLS
MTN2COAST, LLC
01/17/2018



B.



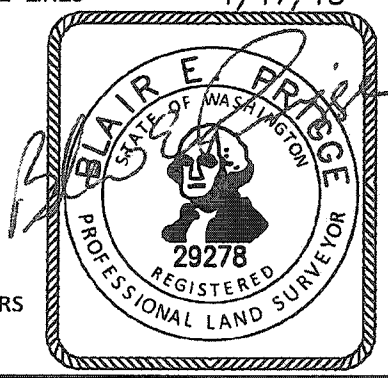
LEGEND

-  EXISTING CITY OF TUMWATER LIMITS
-  BOUNDARY OF AREA BEING ANNEXED
-  PARCEL LINES

1/17/18



PROFESSIONAL LAND SURVEYORS
 OLYMPIA, WA
 360.239.1497



**806 YELM HIGHWAY -
 ISLAND ANNEXATION**

JOB NUMBER 18-703
 DATE 01/17/2018
 SCALE 1"=100'